

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CHARLES HICKS (AIS# 246241),

Plaintiff,

v.

ALABAMA DEPARTMENT OF  
CORRECTIONS, et al.

Defendants.

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CIVIL ACTION NO.  
2:07-CV-142-MHT

**NOTICE OF FILING SUPPLEMENT TO SPECIAL REPORT  
OF DEFENDANTS PRISON HEALTH SERVICES, INC. AND DR. CORBIER**

COME NOW the Defendants, Prison Health Services (identified in the plaintiff's Complaint as Prison Medical Services) and Paul Corbier, M.D. (hereinafter collectively "PHS"), in response to this Honorable Court's Order dated April 12, 2007, and submits the following evidentiary material as supplemental support for PHS's previously filed Special Report:

1. Supplemental Affidavit of Michelle Sagers, Health Services Administrator.

Respectfully submitted this 30<sup>th</sup> day of April, 2007.

Respectfully submitted,

/s/ PAUL M. JAMES, JR.  
Alabama State Bar Number JAM017  
Attorney for Defendants  
Prison Health Services, Inc. and  
Paul Corbier, M.D.

RUSHTON, STAKELY, JOHNSTON &  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served by U.S. Mail  
this the 30th day of April, 2007, to:

Charles Hicks (AIS# 246241)  
P. O. Box 220410  
Deatsville, AL 36022

The Clerk of Court, using the CM/ECF system will send notification of this filing to the  
following:

Greg Biggs, Esq.  
Assistant Attorney General  
Alabama Department of Corrections  
Legal Division  
P. O. Box 301501  
Montgomery, AL 36130

/s/ PAUL M. JAMES, JR. (JAM017)  
Attorney for Defendants  
Prison Health Services, Inc. and  
Paul Corbier, M.D.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
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CHARLES HICKS, (AIS #246241),

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ALABAMA DEPARTMENT OF  
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**SUPPLEMENTAL AFFIDAVIT OF MICHELLE SAGERS,**  
**HEALTH SERVICES ADMINISTRATOR**

BEFORE ME,  a notary public in and for said

County and State, personally appeared **MICHELLE SAGERS, HEALTH SERVICES ADMINISTRATOR**, and being duly sworn, deposed and says on oath that the averments contained in the foregoing are true to the best of her ability, information, knowledge and belief, as follows:

"My name is Michelle Sagers. I am over the age of twenty-one and am personally familiar with all of the facts set forth in this Affidavit. I have an Associates Degree in Nursing from Montgomery College in Takoma Park, Maryland and a Bachelor's Degree in Health Information Management from Alabama State University in Montgomery. Since 1998, I have practiced as a registered nurse in a variety of positions and settings. I have been employed as the Health Services Administrator since July 17, 2006 for Staton Correctional Facility by Prison Health Services, Inc., the company which currently

contracts with the Alabama Department of Corrections to provide medical services to inmates.

It is my understanding that Charles Hicks has filed suit in this matter alleging that PHS took money from his account regarding his healthcare visits. Mr. Hicks claims that he is a "Chronic Care" patient and should not be charged for these visits.

Prison Health Services, Inc. (PHS) has established a simple three-step procedure for identifying and addressing inmate grievances at Frank Lee Youth Center. If an inmate has a grievance regarding a healthcare issue or other issues relating to PHS supervisors he must submit to the healthcare unit a "Medical Complaint Form." These are standard forms that may be requested from an inmate's supervising officer in his dormitory. The inmate medical complaint form allows an inmate to communicate any healthcare related concern by placing the medical complaint form in the sick call box or mailbox to be forwarded to the healthcare unit. The form is also used for any other complaint specifically related to PHS, such as the money issues raised by Hicks in this Complaint. The request is subsequently reviewed and responded to accordingly via in-house mail. Also, when deemed necessary, the inmate will receive a face-to-face interview to discuss his needs and they are addressed at this time.

If an inmate is unsatisfied with the response, he may request an "Inmate Formal Grievance" form from the healthcare unit. This form allows an inmate to again voice his concerns relating to the healthcare issue addressed with the medical complaint form. The request is again responded to via in-house mail.

If the inmate is still unsatisfied with the response, he may request from the healthcare unit an "Inmate Grievance Appeal" form. This form is again submitted and it

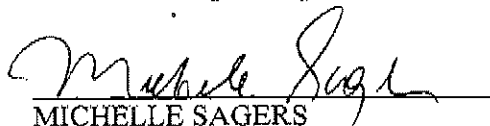
represents the final step of the appeal process. After an inmate submits an inmate grievance appeal, the inmate will receive a face-to-face in a final attempt to address his concerns verbally.

Mr. Hicks filed an Inmate Grievance on March 8, 2007 stating that \$15.00 had been wrongly taken from his account for healthcare visits. I reviewed his grievance on March 12, 2007 and spoke with Mr. Hicks about his account. All prisoners in all prisons have a PMOD Account (Prisoner Money On Deposit). An inmate's money is kept in this account and this money is to be used for any purchases made by the inmate from the prison canteen, doctor visits, family support, etc.

Mr. Hicks has a medical history that is significant for diabetes for which he is treated in the Chronic Care Clinic. I explained to Mr. Hicks that Chronic Care Visits are scheduled visits and his account is not charged for these visits. I also explained to Mr. Hicks that any time he fills out a Sick Call Request to be seen at a time other than his scheduled Chronic Care appointment, his account is charged \$3.00 for this visit. After reviewing Mr. Hicks' account, I did refund \$6.00 back to his account. The complete \$15.00 was not refunded to his account, because not all of his medical visits were related to his chronic care problems.

Mr. Hicks has failed to exhaust Frank Lee's informal grievance procedure. Specifically, Mr. Hicks has not submitted all appropriate and required forms. As such, the healthcare unit at Frank Lee Youth Center (Staton Correctional Facility) has not been afforded the opportunity to resolve Mr. Hick's medical complaints prior to filing suit.

Further affiant sayeth not.

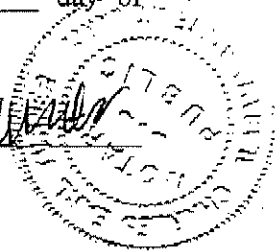
  
MICHELLE SAGERS  
HEALTH SERVICES ADMINISTRATOR

STATE OF ALABAMA )

COUNTY OF Shuford )

April Sworn to and subscribed before me on this the 24 day of April, 2007.

Charles Paul Givens  
Notary Public



My Commission Expires:

4/10/2010